

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

KAYA SIMIONS, )  
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                  )  
                  )  
**Movant**       )       **2:09-cr-199-GZS**  
v.                )  
                  )  
                  )  
**UNITED STATES OF AMERICA,**       )  
                  )  
                  )  
                  )  
**Respondent**     )

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

No objections having been filed to the Magistrate Judge's Recommended Decision (Docket No. 52) filed January 9, 2012, the Recommended Decision is **AFFIRMED.**

Accordingly, it is **ORDERED** that Movant's 28 U.S.C. § 2255 Motion is **DENIED**. It is **ORDERED** that a certificate of appealability shall not issue in the event that Movant files a Notice of Appeal because there is no substantial showing of the denial of a constitutional right as contemplated by 28 U.S.C. § 2253(c)(2).

/s/ George Z. Singal  
United States District Judge

Dated this 6th day of February, 2012.